

ASSOCIATION OF VOLUNTARY AGENCIES
FOR RURAL DEVELOPMENT

REPORT OF A STUDY TEAM
ON
DEMOCRATIC DECENTRALISATION
IN RAJASTHAN

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CHAPTER I

INTRODUCTORY

The Association of Voluntary Agencies for Rural Development (AVARD) held a Seminar on 'The role of voluntary agencies in Democratic Decentralisation,' at Patna from the 14th to the 16th April 1960. A good deal of theoretical discussion took place, and a suggestion was made by the Chairman of the Seminar, Shri Jayaprakash Narayan, that a small group should conduct a study of the current situation in Rajasthan and Andhra, the two States of India where this programme was in operation. The present tour was organised in pursuance of this suggestion.

2. The team consisted of the following :

1. Shri R. K. Patil
2. Shri G. G. Mehta
3. Shri A. D. Pabancy
4. Shri Kodanda Rama Reddy
5. Shri Dharampal

We were in Rajasthan for nine days from the 10th to the 18th November 1960. From the 11th, we divided ourselves into two groups, to provide for more coverage, and a greater variety of observation. We met together again on the 17th evening, cross-checked our observations and arrived at certain findings and suggestions, which are dealt with in this report.

3. Our thanks are due primarily to the Government of Rajasthan who readily granted us all facilities to conduct our enquiries. They made necessary arrangements for our tour, including intimations to the concerned officials and non-officials and reservation of accommodation at Rest Houses. They also placed at our disposal two station wagons which were of invaluable assistance to us in this study. Without them it would have been impossible for us to cover all the villages, Panchayats, Panchayat Samitis, Zila Parishads and meet the various officials and non-officials. We are grateful to the Rajasthan Government for all this assistance and help to an entirely non-official organisation. We would also like to thank the numerous non-officials, and officials, including the Minister of Community Development, the Chief Secretary, the Development Commissioner and officers of the Development Department, the Professors of Rajasthan University conducting research in Democratic Decentralisation, the Zila Pramukhs, Collectors, Pradhans of Panchayat Samitis,

Vikas Adhikaris and other staff, the Panchas of Village Panchayats, and the villagers who so readily gave us their time, fully narrated to us their experiences without feeling the least annoyed or perturbed by our questions. Finally we would also like to thank the Rajasthan Panchayat Raj Sangh for their help.

4. After Madhya Pradesh, Rajasthan is the largest State (in area) in India. It is unique in the sense that it has been constituted almost entirely by a congregation of old Indian States previously governed by the then princely dynasties. As administrations differed from State to State varying in progressiveness with the degree of enlightenment of the ruler, the different parts of Rajasthan present a great variety of administrative traditions and local government. We want to refer particularly to this aspect, as it is our feeling that the Democratic Decentralisation programme had different impacts in different regions and areas depending on their previous traditions and experiences of administration. Further, Rajasthan has a variety of climates, regions and cultures. The West and North-West are desert regions, the East and South-East are more fertile. In the old days, so we were told, 'The Jodhpuri would consider it a sacrilege to enter Jaipur territory and pay homage to a rival king'.

5. In the context of this large area and the diversities of the situation, our nine days' tour in Rajasthan must be considered too short to permit general conclusions to be drawn which could apply to the entire State much less to the rest of India. Nor could we cover all the regions. The whole of the West, South and South-Eastern parts could not be visited by us. Our tour was confined to the North-East and the Ajmer District. It is not our intention to blame anybody for drawing our programme in the manner it was done. The programme was our own and we consider that in the time available to us a different programme would not have yielded more fruitful results. But this aspect has to be borne in mind in assessing the value of our observations. The itinerary of our programme is given at the end of the report as an appendix.

6. Although we have done our best to take an objective view, it may be that some of our observations and conclusions incline to be subjective. Indeed in spite of the privilege of meeting people, studying records and observing the situation on the ground, such a danger cannot be entirely avoided in a report of this character. It could be mitigated by a liberal use of statistical data. We asked for these, and there was a readiness to provide them, whenever these were easily available. This was not often, as the programme has been in operation in Rajasthan for only just over a year and many types of statistics would yet be in the process of collection. All these factors are responsible for absence of statistical material or any reference to them in our report.

7. We would conclude this part by a reference to an important factor, which may vitiate much of what we have said, but which we found very difficult to assess and allow for. The future result of a fairly radical change in the administrative set-up have to be judged almost within a year of their introduction in an area which in some respects presents unique features. Princely rule and the tardy development of local-self-government helped to preserve traditional social organisations in the villages in Rajasthan. They still play some role in the form of a *Bees Biswa Panchayat* (बीस बिस्वा पंचायत). For the same reason modern traditions of local-self-government remained comparatively undeveloped. To the extent that the old community leadership finds a place in the institutions thrown up by Democratic Decentralisation, the development of Democratic Decentralisation will be cohesive and vigorous. This depends on the community throwing up a leadership in tune with the aspirations of the people at all stages of community life from the village to the national level. This leadership has to guide the people to new avenues of social development, where community welfare is not dwarfed by uncoordinated attempts of individuals to secure their personal good, where positions of authority are filled not for the love of prestige, power and personal aggrandisement, but because of the desire and capacity of the incumbent for securing community welfare, and where the higher echelons of administrative organisations find their fulfilment in transferring more power and responsibility to the lower organisations. In the absence of such a leadership the programme may well have the contrary result of delaying national progress because of the selfish attitudes of prevailing vested interests which may occupy positions of authority in the new set up. What the future has in store is a matter on which we would like to express no opinion. It depends to a large extent on the future character of the leadership which emerges in India.

CHAPTER II

DEMOCRATIC DECENTRALISATION IN OUTLINE

While both decentralisation and democracy are accepted principles in Indian political thought, the present programme of Democratic Decentralisation in India owes its origin to the report of the Balvantray Mehta Study Team on the Community Projects and National Extension Service. The Team ascribed the comparative absence of public enthusiasm in community development to the non-association of the people and their representatives in the planning and execution of development schemes. Every development block had indeed an advisory committee but this had no roots amongst the people and no powers and responsibilities. All planning was done by the block staff, who were responsible for the proper and timely utilisation of the block funds. The advisory committees merely assented to the proposals placed before them. Here and there they might suggest minor changes. Such a situation was not conducive to the creation of a sense of responsibility amongst the people and according to the Team this was the main reason for the wearing away of the enthusiasm which was initially displayed when the C.P.A. (Community Projects Administration) was first started. It therefore recommended that all development in a block area should be entrusted to representative institutions capable of evoking local interest and initiative and the block staff should be placed at the disposal of these institutions. The Team also recommended that these representative institutions should be provided with sufficient funds and sources of revenue to enable them to discharge their new duties.

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9. In accordance with these recommendations, the Rajasthan Panchayat Samitis and Zila Parishads Act 1959 created a three-tiered structure of local self-government institutions. At the base is the Village Panchayat, at the block level the Panchayat Samiti, at the district level the Zila Parishad. The tehsil in Rajasthan is made co-terminous with a block. Accordingly the whole State has been reorganised in 3,502 Village Panchayats, 232 Panchayat Samitis and 26 Zila Parishads. The number of Village Panchayats is going to increase to 7,397 in the near future consequent on reorganisation of Panchayat boundaries to secure that a Panchayat exercises jurisdiction over 1,500 to 2,000 persons. A Village Panchayat is divided into wards, each ward on an average consists of 250 to 300 persons. Each ward elects one member, and the whole Panchayat elects a Sarpanch by direct election. The Panchayat Samiti is constituted of the Sarpanches of Village Panchayats within its jurisdiction. Each Panchayat Samiti elects a Pradhan, and the Zila Parishad includes all the Pradhans of the

Panchayat Samitis in the district. Provision has been made for the co-option to Panchayat Samitis and Zila Parishads of members to represent certain interests e.g., scheduled castes and scheduled tribes, women, persons associated with the cooperative movement and those "whose experience in administration, public life or rural development would be of benefit." Members of the State Legislative Assembly are ex-officio members of Panchayat Samitis in their constituency, but they have no right to vote. They are also members of the Zila Parishad, along with members of both Houses of Parliament.

Functions of Village Panchayats

10. The functions of the Village Panchayat are divided into two categories (i) obligatory and (ii) optional.

In the first category fall :

- (a) provision of a sufficient and pure water-supply,
- (b) maintenance of stud-bulls,
- (c) maintenance of minor irrigation works which do not irrigate more than 50 acres, and
- (d) construction and repair of school buildings etc.

In the second category fall :

- (a) development and cooperation,
- (b) construction of minor irrigation works,
- (c) family planning,
- (d) census, and
- (e) life and general insurance etc.

This distinction has now been abrogated by an amendment of the Panchayat Act—(Act No. XXI of 1960). Under the amendment the Panchayat has been given such a wide variety of functions that its jurisdiction is now almost coterminous with that of the Panchayat Samiti.

The Panchayat is to decide all matters by a majority of the Panchas present and voting but it needs a 2/3rds majority of all the Panchas for the following purposes :

- (i) construction of new buildings,
- (ii) construction of public streets,
- (iii) construction of wells, tanks and ponds, and
- (iv) construction of public latrines.

The Panchayat Samiti has powers of general supervision over the Village Panchayats and is competent to issue directions to the Panchayat which it must

carry out. A person aggrieved by an order of the Panchayat can appeal to the Panchayat Samiti which can vary, set aside or confirm such order. In addition to the power to levy ordinary taxes, the Village Panchayats have powers to levy a tax on commercial crops. Every Panchayat is obliged to convene a meeting of all adult residents of the Panchayat circle at least twice a year. At such meetings the programme and works undertaken by the Panchayat are to be explained and the views of the residents thereon are to be reported to the Panchayat at its next meeting.

Functions of Panchayat Samitis

11. The functions of the Panchayat Samiti are specially enumerated in a Schedule to the Act. They cover agriculture, community development, animal husbandry, health and rural sanitation, primary education, social education, cottage industries, emergency relief etc. in short, almost everything that is concerned with rural development. It works through Standing Committees for (a) production programmes, (b) social services and finance, (c) taxation and administration. But it can have additional committees for individual items included in (a), (b) or (c) or any special item. Standing Committees are elected by the Panchayat Samiti which may delegate to them any or all of its powers. For every Panchayat Samiti, the State Government appoints a Vikas Adhikari (former Block Development Officer) and other extension officers. They are regarded as being on deputation to the Panchayat Samiti, and are liable to be transferred in consultation with the Pradhan. The Pradhan exercises administrative control over the Vikas Adhikari and the staff working in the block. In addition to the grants and loans it receives from the State Government, the Panchayat Samiti receives a share of the land revenue calculated at the rate of 25 *naye paise* per head of the block population, and incomes from the collection of loans and the Rajasthan Entertainment Tax Act. It can levy taxes on land, payable on its rental value; a tax on trades, professions and industries; a surcharge on the Stamp Duty payable on transfers of immovable property; a primary education cess; and a tax on fairs. It is also authorised to receive donations and contributions from local authorities or the public.

Functions of Zila Parishads

12. The functions of the Zila Parishad include coordination and consolidation of the plans of the Panchayat Samitis, supervision of their activities, distribution among the Panchayat Samitis of the *ad hoc* grants allotted to the district by the State Government etc. The Zila Parishad has a special power in respect of the budget of a Panchayat Samiti. If the Zila Parishad is satisfied that adequate provision has not been made in the budget estimates, it can return the estimates with suggested modifications and observations. The Panchayat Samiti must consider such observations but these

are not binding on it and it can pass the budget with such modifications as it deems fit. But the Panchayat Samiti cannot incur any expenditure on any item for which a matching grant is to be obtained till such time as the budget is returned by the Zila Parishad. The Zila Parishad elects a Pramukh who has wide powers of inspection and supervision of the work of the Panchayat Samitis. He can visit the Panchayat Samitis, inspect the works undertaken and records maintained by them with a view to guide and tender advice to the Panchayat Samitis, their Pradhans, Vikas Adhikaris and members. He has to submit a special report to the Zila Parishad in this respect.

13. The Secretary of the Zila Parishad is appointed by the Government and is liable to transfer in consultation with the Pramukh. Coordination between the work of the various departments is secured through the District Development Officer who is invariably the Collector and who is specially responsible to see that the amounts placed at the disposal of the Panchayat Samitis are being properly utilised and that the Vikas Adhikari and his team are fully playing their role as extension staff. He makes a specific report to the Zila Parishad on the above matters. It will be seen that the duties of the District Development Officer i.e. the Collector correspond closely with those of the Pramukh.

Powers of the State

14. The State Government can cancel any resolution or order passed by a Panchayat Samiti or its Standing Committees. Before taking such action it has however to hear the Panchayat Samiti. In case of urgency the Collector can also suspend a resolution of the Panchayat Samiti and report the case for orders to the State Government. The State Government can also supersede or dissolve a Panchayat Samiti or Zila Parishad if it has failed to exercise, abused or exceeded its powers.

CHAPTER III

DEMOCRATIC DECENTRALISATION IN OPERATION

Panchayat Samiti

Achievements

Since the main purpose of the new programme was to rouse local interest and evoke local initiative, its success ought to be judged by the extent to which this has been achieved at all the levels at which Democratic Decentralisation operates. Indeed the initial reports about the operation of Democratic Decentralisation in Rajasthan indicated that in this respect at least the programme had been successful. It was reported that the people felt that they had sufficient powers to enable them to mould their future. We did notice a good deal of enthusiasm and activity amongst the Panchayat Samitis and their Standing Committees. They are fully conscious of the fact that such privileges and favours which were formerly under the control of the Block Development Officer are now under their control. In this sense full advantage of Democratic Decentralisation has been secured. The Panchayat Samitis are exercising full discretion in the selection of recipients of *taccavi* loans. They have taken interest in popularising improved agricultural practices. The Agricultural Extension Officer now works under the Production Standing Committee on which a few good cultivators are represented; naturally his work is facilitated. We read in the proceedings of an Agricultural Sub-committee a recommendation that water-logging had affected germination and there was necessity of a fresh distribution of seed. Several such cases could be cited. Thus the technical knowledge of the extension officer is coupled with local knowledge and practical experience of the cultivator members of the sub-committee. It can be confidently asserted that where the Vikas Adhikari (Block Development Officer) and his staff are working in close cooperation with the non-official elements in the Panchayat Samiti, distinctly better results have been obtained as compared to the old block standard.

16. In all Panchayat Samitis the usual advantage associated with the conferment of power on peoples' representatives are in evidence. Primary school teachers now show better attendance at schools as the Sarpanch now keeps an eye on them. The block administration has become more responsive than before. We noticed people voicing their grievance before the Pradhan and obtaining relief through him.

17. Another distinct advantage has been that complaints about petty corruption on the part of subordinate staff were reported to have become less. Though the Revenue Department is not under the Panchayat Samiti, all the

block staff being under the Samiti appears to have had a very salutary effect. On the other hand corruption by the new people in power was reported, but as such cases are soon brought to light, this acts as a deterrent on people who depend for their future on their public reputation. We are inclined to believe that by and large the onset of Democratic Decentralisation has had a very beneficial effect in dealing with corruption in administration.

Need for Simplifying Rules

18. On the whole administrative efficiency has increased. The presence of the Pradhan at the headquarters of the Panchayat Samiti helps to secure quicker dispatch of work from the Vikas Adhikari and the staff under him. At places, the Pradhans are even complaining of red tape on the part of the Vikas Adhikari and his staff. The Vikas Adhikari gives the somewhat satisfactory explanation that the procedures which are laid down have to be followed before the case is ripe for orders. It is our impression that there is scope for simplifying rules and procedures, and it would be worthwhile for an administrative group to examine this question.

Democratic Decentralisation has opened the way for local talent and initiative. We noticed that full advantage was being taken of these opportunities.

Increase in Local Factions

19. On the debit side is the carrying of power-politics to the level of the local administration and increasing factions and groupings in the village. As was quite natural we noticed an extreme keenness on the part of the present people in power to get returned at the coming elections which we were told would be keenly contested. The Government of Rajasthan has declared (the declaration was yet to reach the people during our tour) that it would give a special grant of four annas per head of population to those Panchayats in which the Sarpanch and at least 80% of the Panchas are elected unopposed. It is to be seen what effect this announcement has on securing uncontested elections. The moot question is, "Will the different tiers of Democratic Decentralisation exhibit the same division amongst the people's representatives as appear in our Assemblies and Parliament ? Can democracy not work in any other manner than by creating parties and contested elections ?" It is impossible to provide specific answers to these questions. But we noticed a growing desire on the part of the people for unanimous elections. The view was expressed to us by three Panchayat Samitis who discussed this issue with us at their meetings that if for any reason unanimous elections were not possible, at least near unanimity should be prescribed, and it should be laid down that to get elected a candidate must secure at least three-quarters (75%) or two-thirds (66%) of the votes cast. Should a candidate fail to get the prescribed majority then election should be by lot.

20. The debit side thus consists of the general defects of a democratic operation of administration and has little to do with the particular pattern of Democratic Decentralisation obtaining in Rajasthan. The present pattern is one of delegation of authority of the State to the Panchayat Samiti. It is therefore liable to suffer from the same drawback and difficulties which are confronting us at the State and Central level.

Problems of Adjustment

21. The transfer of responsibilities for development work in the block from the Block Development Officer to the Pradhan has resulted in a mild tussle for power between the Pradhan as representing the people and the Vikas Adhikari and the staff under him. As a rule the lack of adjustment is on the side of the Vikas Adhikari. Frequently, though quite unconsciously, he is unprepared to accept the literal consequence of his being placed under the Panchayat Samiti and more particularly under the administrative control of the Pradhan. This attitude leads him to find some reason for taking up such a position that in spite of the express wording of Sec. 25(d), he would be able to act somewhat independently of the Pradhan and the Panchayat Samiti. He argues, quite incorrectly, that if this were not so, the State would have no agency left to exercise its powers under Sections 66 and 67 and the Collector under Sec. 66(3). Both the State Government and the Collector can have other ways of access to facts which would enable them to discharge their duties under the Act.

22. This situation is rendered more confusing by some practices and expressions used at the State level. While the practice of addressing communication direct to the Vikas Adhikari may be justified, some expressions in particular letters, e.g., 'Please bring this to the notice of your Pradhan' are likely to convey an incorrect impression about the State Government's conception of the relations between the Pradhan and the Vikas Adhikari. He is bound to bring all communications to the notice of the Pradhan. In fact this practice can be the sole justification for not addressing communications to the Pradhan direct. If so, the expression is meaningless and only serves to encourage bureaucratic tendencies. Again such expressions as 'He has sold himself to the Pradhan' or similar expressions in the mouths of the high officers of the State Government only serve to confuse and confound young officers. As one Pradhan put it, the Vikas Adhikari should owe to him the same loyalty as the Chief Secretary owes to the Chief Minister. The reality of the change effected by Democratic Decentralisation consists in the free and frank acceptance of this position by the Vikas Adhikari. Indeed the Vikas Adhikari cannot discharge the functions expected of him by Section 27 of the Act unless he loyally accepts this position.

Need for Clarification

23. We have dealt with this point at some length because we found that unsatisfactory relations prevailing between the popular and official wing in the Panchayat Samitis was one of the reasons for dissatisfaction in many Panchayat Samitis. It is only through mutual co-operation and assistance that the full benefits of Democratic Decentralisation can be realised. At present conditions bordering on a type of stalemate prevail in a fair number of Panchayat Samitis. The position needs to be clarified by the State Government. In addition we would suggest Seminars in which selected Pradhans and Vikas Adhikaris can participate. Care should be taken to see that at these Seminars Pradhans and Vikas Adhikaris are from different blocks. This would facilitate free and frank exchange of views. The Seminars should study the present difficulties impeding smooth work in the Panchayat Samitis and suggest methods for meeting them. The proceedings of the Seminars should be examined by the State Government and thereafter circulated to all Panchayat Samitis. This would considerably help in ensuring smooth working of Panchayat Samitis.

24. No wonder that in this situation the Vikas Adhikari is not in a proper frame of mind to perform his usual function as the leader of an extension team. His relations with the Pradhan keep him pre-occupied and even where they are good, individual extension officers are looking to the Pradhan and members of the Standing Committees for instructions and guidance. One Vikas Adhikari told us that the village level worker had no function left now as the Sarpanch was getting things done direct from the Panchayat Samiti. He considered them as almost redundant in the new set up.

25. This does not mean that the Vikas Adhikari and his staff should lend their co-operation to the political manoeuvring of the Pradhan and his colleagues in the Standing Committees. They should firmly and wherever possible in writing point out the dangers of the improper course advocated. Thus a case was brought to our notice where only because a village was opposed to the ruling group in the Panchayat Samiti it was deprived of a school. The Vikas Adhikari should point out the impropriety of such action but the final orders would have to be carried out. He could and should ask for written orders after recording his contrary opinion. The same would be the situation if the Pradhan desires a transfer of any staff for party or group advantage. The function of the Vikas Adhikari is to point out the undesirable consequences of a transfer for political considerations but if it is insisted upon, he has to carry out these orders. Numerous cases of this type occurred when popular Ministers responsible to the State Legislatures started functioning in the States. The services considered that it was the function of the Government to lay down policies, and thereafter they should be left free to execute the policies as laid down. But experience has

shown that the difference between laying down a policy and its execution is frequently too narrow to admit of a meticulous division of functions between a Minister and his Secretary. Experience of democratic working and political education should alone be relied upon to improve the working of the political apparatus. But no officer however high should claim to teach his political superior by a disobedience of his orders on the ground that he himself is serving a national interest thereby.

Absence of Area Plans

26. In one major particular however, we did not feel that the Panchayat Samitis were performing a function laid down by the law. Under the law they are expected "to draw up plans for the area and execute them through Panchayats and functional committees." This means that the scope for planning by the Panchayat Samitis would include such works as serve more than one Panchayat area or are beyond the capacity of a single Village Panchayat. We did not notice Panchayat Samitis taking up such projects. At different places the people pointed out irrigation works which a single Panchayat could not undertake. But the Panchayat Samitis had not taken them up even for consideration in the Third Five Year Plan. This gave the Panchayat Samitis an appearance of functioning merely as disbursers of monies for schemes operating in different Village Panchayat areas.

27. In Rajasthan a special provision has been made to enable Panchayat Samitis to undertake special productive works in the Third Plan period ; this is known as the Free Fund and it has been allocated amongst the Panchayat Samitis on the basis of population. The destination of expenditure from this Fund also generally follows the block schemes, and in fact, barring a few exceptions, the Free Fund has been generally used to augment the targets under the schemes for each village. Even the Free Fund has not been allocated for 'area schemes' covering a large number of villages.

28. In the present circumstances this appears unavoidable. There is undoubtedly considerable scope for area schemes but these can only be taken after the demands of different villages for schemes which benefit their residents individually are satisfied. The Panchayat Samitis may also feel that they must gain more experience before they can take responsibility of such works. The net result, however, is that in spite of the freedom to plan, subject to certain conditions, the pattern of development expenditure of the Panchayat Samitis is not significantly different from the old block expenditure.

29. Significant increases in agricultural production cannot be secured unless such area schemes are tackled on a large scale. But the existing form of

Democratic Decentralisation is not such as to carry to the people the feeling that such works can be undertaken by them.

30. This was very particularly brought to our notice in the case of a fairly big irrigation project near a district headquarters. The project was sufficiently big to be classed as a medium irrigation project, and was estimated to cost about 15 lakhs. It would have benefitted about a lakh of acres, certainly thousands of acres of the surrounding area. It is a big tank bund, the stored water of which could be utilised to provide preliminary irrigation to the surrounding *rabi* area. Without this irrigation *rabi* sowings are not possible. The project is thus not only protective but directly productive. The Pramukh, who purposely took us to show this site, had a very good record of national service. The main burden of his complaint was that his district was neglected as amidst the power-struggle in Rajasthan he happened to belong to a losing group. The result was that his district was not represented in the State Ministry and therefore even such a productive work had no champion to sponsor it. His repeated attempts to have attention drawn to this project had failed. The work would probably fall in one or more Panchayat Samiti areas, but he did not feel that in the Democratic Decentralisation set up he had now an opportunity of dealing with a project which had baffled him hitherto. This particular Pramukh is a towering personality in the district and wields a more than ordinary influence over the Pradhans and Panchayat Samitis in the district. Politically he had all the capacity to undertake the project. He could carry conviction to all whose co-operation was needed. But he did not feel that the circumstances and the opportunities of Democratic Decentralisation were such as to enable him to fulfil a long-felt necessity of his district. The real test of success of Democratic Decentralisation would lie in its conveying a feeling of the possibility of new achievements to such persons as this particular Pramukh. Judged by this criterion Democratic Decentralisation would have to advance much further to justify such expectations.

31. In no Panchayat Samiti that we visited were the plans drawn up on the basis of the local needs of the area. That is, nowhere was there a specific provision for particular works, in the budget, determined with reference to the particular cost and location of the work. All budgets indicated a schemewise provision under different heads. The detailed objects to which these provisions would have to be applied have yet to be determined by the Samitis and these do not appear in the budgets.

Village Panchayats

Constitution

32. We have dealt hitherto with the situation prevailing in the panchayat Samitis consequent on Democratic Decentralisation. We now deal with the

situation prevailing in the Village Panchayats. The existing Village Panchayats in Rajasthan were very large—some of them having a population of 6,000 to 8,000. And under the law prevalent till lately, they were discharging both administrative and judicial functions. It has been decided that the existing Panchayats should be split up and reorganised in units with an average population between 1,500 to 2,000. At the time of our visit the area of the Panchayats had not undergone this change though the forthcoming elections were to be on the basis of reorganised Panchayats. These large Panchayats prevented development of a sense of compactness and local unity. The handicap was further accentuated by the growth of party factions, which had their origin largely in the discharge of judicial functions. The experience of the exercise of judicial functions by Village Panchayats has not been happy in Rajasthan and these powers are now being withdrawn from them and made over to *Nyaya* Panchayats which will have a jurisdiction covering several Village Panchayats. Thus both these factors combined to prevent the development of normal corporate activity in the villages.

Objectives

33. "The Panchayat at the village level will be the basic institution for planning and executing the development programme. The Panchayat Samiti will draw up plans *for the area* and execute them through Panchayats and functional committees. It will also exercise supervision over the village institutions (Panchayats) and make available funds and technical and administrative know-how to them" (Rajasthan—Towards a New Democratic Order, by Shri B. Mehta, I.A.S. Chief Secretary, Government of Rajasthan). If these three sentences are read together the respective functions of the Village Panchayats and Panchayat Samitis will become clear. The former has to plan for the village and execute those plans, the latter has to plan for the area of the Panchayat Samiti. This means that the scope of planning of the Panchayat Samiti will be limited to such works as serve more than one Village Panchayat or such as are beyond the capacity of a Village Panchayat. But even these plans are to be executed through the Village Panchayats.

Activities

34. To secure a better adherence to the above ideas the Rajasthan Government has prescribed a procedure under which the Panchayat Samiti meetings are to be preferably fixed in the first week of the month. Immediately preceding this all the Village Panchayats in the Samiti area meet at their respective headquarters, review their activities and discuss matters which have to be taken up at the Panchayat Samiti level. At the same time the Vikas Adhikari discusses the month's activities with the block staff and prepares a list of matters to be taken up at the meeting of the Panchayat Samiti. The

suggestions from the Village Panchayats and the block staff are then discussed at the Panchayat Samiti meeting, and the result is communicated by the Sarpanch to a meeting of the Village Panchayat convened after the meeting of the Panchayat Samiti. Each Panch is supposed to communicate the proceedings to the people of his ward.

35. The Panchayat is thus the basic institution on whose enthusiasm and initiative depends the successful working of Democratic Decentralisation. We visited about 15-20 Panchayats, and we noticed that the activities displayed by them varied very considerably. At one end we had Panchayats which proudly narrated their achievements always emphasising that their contribution was much more than the assistance they received from the Panchayat Samiti. These consisted mostly of buildings for school and dispensary, housing for the teachers and village level workers, drinking water wells, approach roads etc. At the other end we met Panchayats which not only had not done any work but were completely indifferent to the institution. On the whole our impression is that as compared to the Panchayat Samitis the Panchayats in Rajasthan are not displaying sufficient activity. In many other States the Village Panchayats are showing better activity without the stimulus of Democratic Decentralisation.

Unbalanced Partnership

36. All observers appear to be unanimous in the view that the operation of Democratic Decentralisation in Rajasthan has bolstered up the Panchayat Samiti to the detriment of the Panchayat. This was perhaps not intended by the Legislature. The Village Panchayat is the basic unit for planning and development and the health of the decentralised system will be judged from the health of this unit. If it is vigorous and self-reliant so will be Democratic Decentralisation. Democratic Decentralisation really visualises a partnership between the Village Panchayat and the Panchayat Samiti and it is unfortunate that this relationship does not appear to have emerged in Rajasthan. The law indeed allows the Panchayat Samiti to issue directions to the Village Panchayat to carry out its wishes. It has also appellate powers over decisions of the Village Panchayat. But these are administrative provisions to be availed of in special circumstances. If they are to result in marring the enthusiasm and initiative of the Panchayat, the whole position would have to be re-thought. We could not escape the feeling that as basic units in a decentralised set-up the Panchayats ought to be far more active and self-reliant. At present they seem to rely too much on the Panchayat Samiti and too little on themselves.

Enthusiasm for Amenities

37. Even if it is found that the amount of public participation has in fact substantially increased after the inception of Democratic Decentralisation, the

above observation would still hold good. Wherever the Panchayats have shown activity it was confined mostly to the provision of amenities. As a rule Panchayats have not interested themselves consciously in increasing production. All agricultural schemes have operated in the village on an individual basis. Panchayats have not played any significant part even in the selection of beneficiaries under the agricultural schemes. This has been left to the Panchayat Samitis which in some cases left the matter of selection to the applicants themselves.

Limitations in Panchayats Growth

Lack of Community Consciousness

38. Situated as the Panchayats are, it is difficult to see how they can actively interest themselves in increasing agricultural production. Their present mentality appears to be—and certainly this is one way of looking at it—that they (the Village Panchayats) should interest themselves in such matters as are of common concern to the village and which by their nature cannot be the subject of individual concern, and conversely the Panchayat should not bother itself with matters of individual concern. Now, obviously, schools, wells, roads, dispensaries etc., fall in the first category; agriculture falls in the second. This appears to be the main difficulty in Panchayats interesting themselves in agricultural production. Secondly the Panchayat funds belong to the whole village. Any improvement of an irrigation source does not ordinarily benefit all people in the village; it benefits only some, and even to them the benefit may be in varying proportions. Even if a Panchayat is production minded, which it is ordinarily not, it cannot easily take up works of agricultural improvement in view of the above difficulty. Therefore it usually takes the path of least resistance and directs such people to the Panchayat Samiti. If the Government is really keen on the Panchayats preparing production plans for a village, and these are to be something different than merely totalling up the needs of individual cultivators, it is time that some thought is devoted to this and village level workers and office-bearers of Panchayats specially trained in the technique of preparing village plans in our individually oriented agricultural economy.

39. Most Panchayats have not levied any taxes. In connection with the preparation of the Third Five Year Plan every Village Panchayat was supposed to prepare its own plan. These usually consisted of filling in a four page questionnaire, issued by the Panchayat Samiti, with the immediate requirements of the village like the school or a road put in the appropriate column. We found no awareness in the Panchayats of their duty either to increase production or to provide employment in the village. Something more specific than merely listing village needs has to be done if Village Panchayats are to take up this work.

Ignoring Traditional Bodies

40. The past history of Rajasthan, with its long tradition of princely rule and the consequent under-development of modern self-governing institutions, may be responsible to some extent for the comparative lack of activity on the part of the Panchayats. The older caste and inter-caste grouping continue to exist for certain purposes. The new statutory institutions do not recognise these and so in their statutory working act on a different plane. The two are not complementary, and this is one reason for the comparative ineffectiveness of the Panchayats.

Defective Representation

41. The present method of constituting the Panchayat Samiti is also responsible for such inactivity. The Sarpanch is directly elected by the whole people. He is also a concurrent member of the Panchayat Samiti. This puts him in an outstanding position, much above the other Panchas. This perhaps comes in the way of the collective responsibility of the Panchas and community action by the village people. There is a tendency to look to the Sarpanch for most things, and consequently to the Panchayat Samiti. The Sarpanch is the executor as well as the money finder (from the Panchayat Samiti). Perhaps the situation would be different if the Sarpanch sits in the Village Panchayat and the Panchayat sends another representative to the Panchayat Samiti. He may even be on an *ad hoc* basis and change from time to time.

Concurrent Jurisdiction

42. Another cause for the comparative inactivity of the Panchayats may be the concurrent jurisdiction which the Panchayat Samiti appears to have even in matters which ordinarily should be left to the Panchayats. Almost all the functions included in the Panchayat Act can be said to be within the purview of the Panchayat Samitis. And with the powers of direction and appeal which the Panchayat Samiti possesses along with its superior revenues, and executive staff, only an extraordinary Panchayat would really be able to show vigour and initiative. Unlike in the Panchayat Samiti, the village staff is not under the Sarpanch.

Ignorance of Provisions

43. It is obligatory for a Panchayat to convene twice a year a meeting of all the adult residents of a Panchayat circle. At such a meeting the programme and work undertaken by the Panchayat are to be explained, the views of the residents ascertained, and considered at the next meeting of the Panchayat. The idea underlying this provision is obvious but we did not notice any marked tendency to utilise this provision. We got the impression that many villages were not aware of this and it does not appear that this provision is being used meaningfully.

Inarticulate Expression

44. We discussed with villagers in some villages what their own priorities would be and almost everywhere without exception, the reply was provision of irrigation facilities. Of course they advanced various difficulties which prevented them from taking up such work. But this is a clear indication of what the village people would do if they were left to themselves and sufficient resources and technical know-how were made available to them. In our view Democratic Decentralisation must assume a form which will be able to give concrete shape to this somewhat inarticulated demand of the people, which is nevertheless genuinely felt.

45. These may be the reasons for the comparative activity of the Panchayat Samiti and the inactivity of the Panchayat. It is a case of self-government descending to the level of the Panchayat Samitis but stopping there, and not being able to enter the villages. If lack of resources is the cause for this, these must be provided. The Panchayats today are looking to the Panchayat Samiti for funds and initiative. Ways have to be devised wherein they will find both in their own midst.

Other Limitations

46. The cooperative movement appeared weak. Most of the functions of cooperative societies e.g., provision of seed and manure, insecticides etc. were performed by Panchayat Samitis. The social welfare activities of Panchayats were generally not prominent. Old customs die hard and it would be wrong to expect that customs like the *purdah*, costly ceremonial expenses, would undergo a radical change. Untouchability continues to be prevalent. In a model progressive village, where model houses have been constructed for the Harijans, the leaders of the village and the Harijans could not sit together for meals or even join in the little refreshment served to us. At another village Harijans, could not enter the hall while a Panchayat meeting was on. But here and there refreshing evidence of the progress of social reform was evident. We had women talking to us in the presence of their men-folk.

Zila Parishad

47. The third tier of Democratic Decentralisation, the Zila Parishad, is generally regarded as providing no opportunity for direct responsibility in development work; this is supposed to rest with the Village Panchayats and much more so with the Panchayat Samitis. Under the Act the Zila Parishads have coordinating and supervisory functions. This somewhat onesided and erroneous impression has resulted in comparative inactivity on the part of Zila Parishads and their not being able to pull their full weight in Democratic Decentralisation. This has led to the demand that Pramukhs should be invested with more

powers. We examined the proceedings of a Zila Parishad fairly closely to find out the type of work usually done by them and we feel that within the four corners of the present legislation the Zila Parishad can perform an important and useful function. In discharging its duty of "supervising" generally the activities of the Panchayat Samitis in the district, it can guide the Pradhans in the preparation of plans, provide expert and technical guidance to them, smoothen the relations between the Pradhan and the Vikas Adhikari, focus attention of the Panchayat Samitis on district needs, take up the difficulties of the Panchayat Samitis with the Government etc. These duties would naturally be discharged through the Pramukh. Instead of there being any necessity for additional powers, what the Pramukh needs is an adequate agency for discharging these duties. Unlike the Prajhan in the Panchayat Samiti who has administrative control over the previous head of the block, the Pramukh has to discharge all these duties through the Secretary, who is an Assistant to the Collector and not the Collector himself. This is not only a major lacuna in Democratic Decentralisation but it also comes in the way of the Pramukh discharging his duties as contemplated by the Act. If the Collector were to function in relation to the Pramukh as the Vikas Adhikari is expected to function in relation to the Pradhan, the Pramukh would have all the scope for work that he needs and would be able to play an important part in moulding the development programme in the district.

Need for Coordination

48. Of course it is presumed that both will work harmoniously. That is basic to all work in a democracy when permanent officials work with elected peoples' representatives. If such a system can work at the State level and the Panchayat Samiti level, there is no reason why it cannot work at the district level. In fact without it the scheme is not complete. Nor would it in any way 'weaken', as it is so called, the State Government which can arm itself with the same powers of cancellation and suspension of resolutions in respect to the Zila Parishad as it has in respect of the Panchayat Samiti. And these powers can be operated in case of emergency. We feel that the Zila Parishad cannot be a success without such a step and that circumstances may compel the State Government to take such a step in the near future.

49. In such a context the Pramukh discharges almost the same functions in regard to district development as the Pradhan does in relation to the Panchayat Samiti area. The scrutiny of the Panchayat Samiti plans then assumes much more significance. The whole weight and authority of the District Technical Staff can then be brought to bear on this scrutiny. Today the Pramukh has no adequate opportunity, staff or office to discharge these functions.

50. We have already indicated that under Sec. 58(2) the Pramukh has very nearly the same functions to discharge as the District Development Officer has under Sec. 59. The District Development Officer is the Collector. It is therefore of the utmost necessity that the two should work in the closest cooperation and this is possible only if the law lays down for the Collector the same position *vis-a-vis* the Pramukh as it has laid down for the Vikas Adhikari *vis-a-vis* the Pradhan.



CHAPTER IV

SOME THOUGHTS ON DEMOCRATIC DECENTRALISATION

Historically communities have long preceded Nation-States, and they managed their own affairs long before the Nation-State was born. Democratic Decentralisation is essentially restoring to communities those rights which were taken away from them. It is thus as much a fundamental right of communities that they govern themselves as it is the right of a Nation-State. However superciliously we may call it decentralisation, the two rights are of the same type, and each ought to be sovereign in its own sphere. And considered from the democratic standpoint the Nation-State has or ought to have the functions which are delegated to it by the community and not *vice-versa*. Communities are therefore entitled to self-government, quite apart from any consideration whether it will increase their initiative or accelerate the pace of economic development. Good government is no substitute for self-government, and therefore Democratic Decentralisation has to be effected even, if need be, at the risk of administrative inefficiency and slower economic development. Decentralisation *per se* need not necessarily lead to these consequences; in fact in a large number of cases it would lead to an increase in both these spheres. But cases could be imagined where this may not be so and the point we are making is that even in such cases Democratic Decentralisation ought to have preference.

52. Lest we are misunderstood, we would like to state clearly that we are not against the concept of a Nation-State or deny to it any responsibility for the welfare of its component parts and the necessary authority and power to do so. It is also true that the rural people are at the moment in such a situation that they would need every type of assistance, financial and technical, from outside the decentralised units. In the last analysis this must ultimately come from the Nation-State. We would also concede that many persons of unquestioned sincerity and character would feel genuinely concerned over the extreme poverty and ignorance prevailing in our villages and argue that since the villagers by themselves would be able to do practically nothing to change their surroundings they must follow certain prescriptions laid down for them by those who know better and feel genuine concern for their welfare.

53. It would be going beyond the scope of this report to enter into a discussion on the appropriate constitutional relationship between the Nation-State and its constituent units. In an ideal society it should be complementary.

The Nation-State should try to provide such facilities and circumstances as contribute to the strength of its component units, increase their initiative and self-reliance. The component units on the other hand should so manage their affairs that they add to the strength of the Nation-State. With its superior resources the Nation-State should function as a friend and a guide educating the component units in ways of mutual welfare.

54. In a similar way centralised planning is a necessary corollary to decentralisation and *vice-versa*. But the natural tendency in the operation of a State is towards centralisation and this may happen so unconsciously and even insidiously that it is necessary to apply correctives by constantly stressing the decentralist point of view.

Obstructions to Growth

55. The problems which Democratic Decentralisation has to solve in India are manifold.

Changing Values

(a) To create a sense of community in villages, where increasing inroads have been made on it through foreign rule, industrialisation and the development of anti-community individualism in the 19th and 20th centuries. In India this is our first problem. We speak of village unity but in the past 100 years so many inroads have been made on it that it has become almost non-existent. Our election system is destroying that unity still more. In totalitarian countries this unity has been forcibly brought about by the collectivisation of land. We are aware that there are some in India who feel that unless the same situation is brought about here it would be difficult to secure village unity under modern conditions. We do not accept this view. We have to think in terms of restoring that unity in accordance with our old values of life and village traditions.

Dependence on Government

(b) Communities should regain a spirit of self-respect, self-reliance, self-help and mutual cooperation. The tendency to look to government for every type of initiative and assistance is coming in the way of local initiative and mobilisation of man-power. Unfortunately with the slogan of a Welfare State the government is assisting this tendency.

Forcing Welfare

(c) A welfare State today in India has created curious situations, all arising mainly from welfare being thrust on the people with practically very little or no cooperation from those whose welfare is being sought to be achieved. A good example of this is the comparatively recent agitation in the Punjab

against the betterment levy proposed on account of the irrigation facilities provided by the Bhakra Dam. It is well known that the Punjab and the Punjab Government were the most insistent on the taking up of this project. All sorts of vociferous promises were made about receiving contributions and compensations from the people. The Central Government utilised about 200 crores of the National resource of a poor country for this purpose. And the Government had finally to bow down to an agitation which resulted in benefitting individuals for no corresponding return to the other areas of India. How can peoples' efforts be roused under these circumstances? There appears to be as great a contradiction between the conception of a Welfare State, trying to be achieved by wealthy and powerful Central and State Governments, and the development of the peoples' initiative as between night and day. Historically the Welfare State concept has been developed in the West by nations which became rich either on colonial spoils or the advantages of early industrialisation or both. This privilege has to be earned by the people of India through years of hard labour and effort. This must find expression in the people at all levels and more particularly in our villages, where the grass-roots of an active democracy must lie, making conscious efforts for their own development and not looking towards a benign State for its conferment. The counterpart of the so called 'forced labour' prevalent in totalitarian countries must in a democracy be the willingness of the people to raise resources through their own efforts. With the State raising resources for plans, in the preparation of which the people have no voice, and the spendthrift execution of which the State is unable to control, such effort by the people has become an impossibility. The concept of a Welfare State must change to that of a Welfare Society in which the people make active efforts to earn their welfare. In a Welfare State a few well-intentioned people in the government try to frame and execute plans with the aim of expediting peoples' progress. This appears to be theoretically unsound even from the limited view taken as appears from the following extract from a UNESCO monograph:

THEORY AND PRACTICE

"There is no place in fundamental education for the view that illiterate people are children, who should be disciplined into progress either by force or by the cut and dried plans of well-intentioned outsiders. The purpose of all fundamental education work is to obtain the active participation of the people themselves in shaping their own future."

From the practical standpoint also it is comparatively easier for a totalitarian State to be a Welfare State for it has at least the capacity to exact the *quid pro quo* from the people without fear of being dislodged from power. But with popular pressure being exerted in a democracy, it is of the utmost importance that, to the extent possible, all expenditures should be productive and incurred

as directly as possible by the people who are being benefited. It is under these circumstances alone that democracy can have a fair chance of standing in competition with the totalitarian system.

Multiplication of Bureaucracy

(d) Another consequence of the attempt in India to introduce a Welfare State by Central and State Governments is the manifold increase of an ineffectual bureaucracy, which absorbs a disproportionately large portion of the Nation's tax effort. "How can welfare be achieved without services being created to bring it about?", runs the argument. And thus we have the spectacle of cadres being multiplied with correspondingly little effect either on the peoples' productive capacity or their welfare. The irony of the situation is that, all along, the services themselves blame democracy for their inability to be effective and capable of rendering useful service. It would be repeating a cliche to say that the best results are always secured by close and willing cooperation between the services and the peoples' representatives. In a democracy this is sought to be secured through peoples' elected representatives being put at the head of the public services. But past experience has shown that democracy has to evolve new methods and institutions through which this close cooperation can be achieved. The results so far in India and elsewhere have tended to take away power from the people and vest it in the services.

Deadening of Local Responsibility

(e) A still greater irony is that the idea has taken hold that it is the function of the Government to find employment for the people through its Five Year Plans. There is thus a complete deadening of local responsibility for creating useful occupations for an increasing population. If family planning is to be achieved it can come through the peoples' realisation that they will have to find sustenance for any increase in population and this realisation can be only at the level of a family or a small community.

Low Performance

(f) While services are increasing, ideas about a minimum wage are gaining currency. The argument is, "That if the government cannot give a minimum wage, who else can?" And so our legislators are trying to provide a minimum wage of Rs. 100 a month to a government employee when 85% of the people are far away from a living of that value. No wonder the one avenue that is hankered after most in India is government service, not to mention the day-light bribery of our elite by some extremely rich foreign and Indian concerns. Entry into such jobs has become the goal as they secure for individuals a definite income for life. We are certainly not opposed to the idea of a minimum wage

which has relation to the per capita national income. The higher salary incomes in the public and private sectors need also to conform to this principle. This has to be combined with a high standard of performance. For various reasons we are today unable to secure both.

Decreasing Labour Out-Put

(g) We are witnessing the depressing spectacle of the output of manual labour progressively decreasing in a country whose only asset is its vast manpower. Steps have to be taken to utilise this big asset in a productive and useful channel.

Democratic Decentralisation to be effective must assume a pattern capable of tackling these problems.

Steps towards Reconstruction

56. For this purpose it may be necessary to lay down certain principles.

Services to be paid for

(a) To the extent possible all services must be productive and remunerative and will have to be paid for. The people have to be squarely told that they cannot expect to receive from government benefits, unless they pay for them. For the purpose of encouraging such an attitude amongst the people it may be necessary for government to place at their disposal some of the taxes at present levied by it. The only direct tax in the villages levied by the State is Land Revenue and cesses and we are recommending that this source should be entirely placed at the disposal of Village Panchayats. Similarly many services which are today being rendered by Government Departments should be placed on a commercial basis. For instance seed and fertilizer distribution should be taken away from the Agriculture Department and made over to cooperative societies. If a good seed is found, the cultivators will take it without the paraphernalia of the Agriculture Department and conversely only a cultivator knows how many curses are heaped on the vendors of bad seed in India, whether they be the Agriculture Department or private firms. Good seed should be so priced that it covers the cost of its raising and if it is really good the cultivator will pay for it, and it will pay for itself. Conversely it is necessary to punish vendors of bad seed.

The same outlook should be developed for minor irrigation or crop protection. Those who need these or are likely to benefit from these must learn to pay for these like any other service. The State should provide an agency for preparing plans and estimates and, if necessary, even provide supervisors whose cost will be charged to the work, and then let the people determine how they to arrange for the payment.

There should be government and licensed non-official agencies, which would render these services to village communities on terms which may be laid down.

Autonomous Service Institutions

(b) The State should help peoples' organisations to employ the services they need rather than employ them themselves. In our view there is a great necessity to develop autonomous and semi-autonomous organisations run on business principles rendering services to people which are today rather ineffectively provided by the State. We feel that even educational and medical services could be so transferred. The system of grants-in-aid has helped to develop education more than could have been possible through State efforts alone. Medical services could be made to reach all people in India through a system of insurance, in which people pay according to their capacity. One aspect which was prominently brought to notice in our tour was the fairly efficient way in which proceedings and records were maintained by extremely poorly paid clerks of Village Panchayats. They were rendering a service, which was satisfactory, it was satisfactory also to their employer and to the people at a cost which they could bear. We do not see why there should be so much insistence on uniformity of remuneration, for similar posts, when there is so much disparity in the earnings of people from different areas following the same occupation. To expect that the Village Panchayat in the desert area of Jaisalmer should pay its clerk at the same level as the Village Panchayat in the comparatively well developed area of Bharatpur region not only disturbs the community life in Jaisalmer but is also economically unjust to them.

Planning for Local Demands

(c) No community whether a Panchayat or a Panchayat Samiti should be provided with a service unless it asks for it, and is prepared to pay for it. We have become so familiar with schematic budgets, patterns, administrations that it is difficult for us to understand that not all areas need the same type of service or organisation. A good illustration is provided by the C.P.A. and the N.E.S. In trying to put the whole of this country in the strait-jacket of a particular system, it has unwittingly laid itself open to the charge of having created 'an army of officers riding on the backs of villagers'; and this is so even with Democratic Decentralisation of the Rajasthan pattern. If the total salary bill of the block services was given as a grant to the Panchayat Samitis and if they were free to select whatever service assistance they wanted, a different pattern and picture would prevail. In the Intensive Agricultural District Programme, for instance, it has been found necessary to provide more of certain services in the interest of agricultural production. The present pattern of staffing in the NES and CPA is so scanty, the area of their operation so large and diffused and the task of public education so immense that no

responsibility can be fixed on the staff for non-achievement of results, in spite of all the sermons that they receive from the top. The result is that in every case work proceeds unsupervised and its efficiency wholly depends on the conscience and capacity of the individual officer.

Phased Programming

(d) We are well aware of the fact that there is a shortage of technical personnel in the country but we feel that it is better that certain areas wait while others are being served purposefully. Today in our attempt to serve everybody we have essentially run into the danger of serving nobody effectively while in some areas we have appointed officers whose services are not wanted by the people. We are aware that such an approach would result in the postponement of development in many areas; but we are confident that if the people feel assured that their turn is bound to come they would not mind waiting for their time. If the choice is between ineffective development and waiting for purposeful activity the people would certainly prefer the latter.

Decentralising Revenue Sources

(c) Sources of revenue should be decentralised. Where this is not possible they should be operated in such a manner either in the form of matching expenditure or the creation of semi-autonomous service organisations, which operate on commercial or semi-commercial lines, that the responsibility of asking for a particular service and paying for it squarely falls on the people demanding it. This in our view is the very essence of a decentralised system which is democratically operated. Of course special provisions will have to be made for economically backward areas or economically backward communities but the general principle should be applied to the extent possible.

(f) To guard against the possibility of nepotism and corruption special precautions would have to be taken in the selection of officers. Cadres would have to be carefully selected and trained. But they should feel that their future depends on the satisfaction which they give to the peoples' organisations whom they are immediately serving and these should have an opportunity of expressing themselves on their actual performance.

Minimum Governance

(g) The present slogan of a 'Welfare State' should change to the slogan 'That Government is the best which *governs the least* and takes the least from the people.' The maximum possible opportunity for looking after their own affairs should be provided to the peoples' organisations and that too in an ascending order starting from the bottom. That is, the Village Panchayat should have the maximum functions and only those which it cannot take up should go to the next higher organisation—the Panchayat Samiti, and so on.

Rural Based Movement

(h) Even after the literal carrying out of all the above prescriptions something else will be required to rouse a people whom centuries of adversity has rendered diffident, frustrated, idle and resigned to fate. We are painfully aware that even the fulfilment of the long cherished dream of Indian Independence has not been sufficient to rouse them to enthusiastic and purposeful activity. This can only be brought about by a body of selfless individuals dedicated to the cause of national service with the firm determination to keep themselves away from the lure of wealth and position. This is the democratic counterpart of what in totalitarian countries is dedication to the communist philosophy. We would at our peril be ignoring the tremendous attraction and corresponding call to sacrifice that communist philosophy has made in the past. The achievements of the communist countries are to an extent based on this sacrifice. We must search for and find a democratic counterpart to this great urge which makes people shun the pleasures and comforts of a routine life and makes them plunge headlong into a life of sustained and creative effort. Nationalism can indeed provide a great building force; historically it has tended to be somewhat aggressive, but India could avoid this danger. The ideals of a non-aggressive nationalism are best expressed by the term *Ram Rajya* and the prospect of giving concrete shape to this conception can be a real activating force in India.

And, finally, all building up takes some time depending on the co-operation of a people. There is no short-cut to democratic progress.

कल्पित संसद

CHAPTER V

RESHAPING THE PRESENT PATTERN

Primacy of Gram Sabha

It now remains for us to indicate the outlines of a scheme which will satisfy all these conditions. We would keep the Panchayat as the basic unit of village self-government. In considering the size and functions of the basic unit at the village level we are confronted with two relevant factors which are mutually contradictory. Many of our villages are small, with populations of and below 500 persons. It is only in small communities where face to face relationship can operate that the development of community consciousness and community life becomes possible. From this consideration the smaller the unit the better the possibility of achieving cohesion. On the other hand a small unit will be unable to discharge the essential functions and responsibilities of a basic unit. We consider that the basic unit should be responsible for :

- (a) sanitation,
- (b) water supply,
- (c) pre-primary, primary and adult education including the provision of library and free reading facilities,
- (d) first aid,
- (e) maintenance of village accounts, and
- (f) provision of employment for its residents.

A small village community may be able to provide (a), (b), (c), and (d) while for (e) and (f) a larger unit may be necessary. We have attempted to tide over this difficulty by introducing the concepts of a 'Village Community' and a '*Gram Sabha*.' A 'Village Community' we define as a group of people (not less than 20 or 25 households) living contiguously in a rural area. This will form a corporate part of a *Gram Sabha* which may have a population varying between 1,000 and 1,500. While the Village Community will be entitled to be treated as a single unit for all community services, only the *Gram Sabha* will have the duty of maintaining village accounts, reporting births and deaths, finding employment for the people etc. The revenue records will be maintained on the basis of the *Gram Sabha* as a unit. The village Communities will function as composite units of the *Gram Sabha* and may function through their representatives.

58. Large villages with bigger populations may be given the option to split up and form two or more Panchayats. Most of our villages are congested and in the re-planning of our villages existing village populations would move to

new locations. The residents of a single village may group themselves in one or more Village Communities if they so desire.

59. The main body of the Village Panchayat will be known as the *Gram Sabha*. It will consist of :

- (i) representatives of Village Communities at the rate of two for every twentyfive households, and
- (ii) where the Village Communities do not exist, representatives of each family in the village.

The *Gram Sabha* should meet as often as necessary but may be called earlier by the Sarpanch on the request of any representative of a family or a community. The *Gram Sabha* shall be the sovereign body in the village. It may be called by a beat of drum and need not have any quorum. It will decide questions brought before it by general consensus. For the purpose of executing its decisions the *Gram Sabha* shall elect every year 6 to 8 Panchas by near unanimity or by drawing lots. No person can be elected a Panch for more than two consecutive years. But he may again be elected after the lapse of two years. The *Gram Sabha* will also elect a Sarpanch and a representative for the Panchayat Samiti in the same manner except that a Sarpanch may offer himself for re-election or the *Gram Sabha* may elect the Sarpanch and the representative for the Panchayat Samiti directly or indirectly through the Panchas, as it chooses. In all deliberations, representatives of Village Communities will have a voting power, for determination of general consensus, equal to the number of families in the Village Community which they represent.

Panchayat as Executive



60. The *Gram Sabha* meetings shall be open to all the village people. We have given some consideration to the relationship which a *Gram Sabha* may have with the Panchas whom it elects. The relationship will differ according to whether the Panchas are considered as persons to whom some powers and functions are delegated by the *Gram Sabha* or as mere executors of policies and decisions laid down by the *Gram Sabha*. We are keen to secure that the people of a village should as a village community take interest in their affairs and not delegate this responsibility to their elected representatives. Then alone will direct democracy operate and healthy traditions will develop in the village. We therefore visualise the Panchas as executors of the policies and decisions of the *Gram Sabha*.

Equal Representation for Women

61. To secure that the women-folk also participate equally in the deliberations of the *Gram Sabha*, we would lay down that every family and every Village Community will be represented by two members, one of them being a woman.

62. We envisage women's organisations which would have a special programme directed to the development of women as well as encouraging them to play their part in social development. The women representatives in the *Gram Sabha* and Panchayats would derive their strength from these organisations.

Finances of Gram Sabha

63. Every *Gram Sabha* will receive from the State a grant equal to the land revenue and cess as payable by the occupied area within the limits of the *Gram Sabha*. In addition to this source it will be open to the *Gram Sabha* to raise additional income from the following sources :

- (i) house tax,
- (ii) market and cattle pounds,
- (iii) fairs etc.,
- (iv) fees on transactions registered in the village, and
- (v) any tax or contribution or labour (*shramadan*) for special schemes or the performance of other duties.

All taxation proposals are to be passed in the *Gram Sabha*. It will be the special responsibility of the *Gram Sabha* to so plan its schemes that it will be able to provide employment to the people of the area, either on works of the *Gram Sabha* or those of the Panchayat Samiti.

Jurisdiction of Gram Sabha

64. The Panchayat will be in charge of village accounts, and the *Patwari* will operate under the Panchayat. Transactions relating to land will not be valid unless registered with the *Gram Sabha* and the *Gram Sabha* seal is affixed to the document. The *Patwari* or the village accountant will send such returns as are prescribed but only as totals for the *Gram Sabha*. The *Gram Sabha* will have jurisdiction over all government lands in the village, unless the State specifically exempts some land. It will register births, deaths, marriages and send such returns to the Tehsil as are prescribed.

65. The *Gram Sabha* will keep the staff necessary for discharging its duties and such Staff will be under the control of the Panchayat. The village accountant will have to pass an examination prescribed by the Revenue Department. The *Gram Sabha* can take up other functions by a resolution to this effect. Such a resolution will take effect unless the Panchayat Samiti supersedes it by a special resolution stating the reasons for such action.

Panchayat Samiti and its Constitution

66. Above the *Gram Sabha* the Panchayat Samiti will be constituted on the basis of an average population of about 20,000 persons. This is a broad figure

and may vary as the circumstances and needs of particular areas demand. The relevant considerations here are as follows :

- (i) The area should be sufficiently large to provide for regional planning in agriculture and irrigation, including the soil conservation aspect.
- (ii) It should be a sufficiently large unit to provide for higher services in education and medical facilities.
- (iii) It should provide a sense of oneness and common needs, so that public participation can voluntarily develop. The guiding principle is that the community sense must continue as the prevailing factor in this organisation.

67. We do not visualise any tax resources for the Panchayat Samiti, except what it can raise from the constitutut *Gram Sabhas* and its own activities. It will levy no tax. This will enable regional development to be adjusted to local demand and economic strength of the people. The Panchayat Samiti will be entitled to obtain from the higher organisation (State or a district as the case may be) an amount proportional to what it raises locally from the *Gram Sabhas*. This proportion may vary in the case of education and medical services, depending on the development of the resources of the *Gram Sabhas*. It may be 50 : 50 for some services 40 : 60 for others etc.

Finances and Functions of Panchayat Samiti

68. Though the Panchayat Samiti will have no power to raise resources by taxation, we visualise sufficient functions for it to enable it to raise resources by its commercial and banking activities. All loans to the cultivators of the area will be channelled through the Panchayat Samiti. There would be primary societies at the level of the Village Community. But loans to all these would be channelled through the Panchayat Samiti, as an agency, office or branch of the District or Taluk. A Cooperative Bank will be in existence in its area. It will also have the headquarters of the co-operative marketing society for the area and also a co-operative society for processing agricultural produce, produced locally. It will charge a commission for all these activities and may also retain a certain percentage of all land improvement loans advanced through it after recovery. It will thus be able to build up sufficiently strong finances to provide :

- (i) for its own establishment expenditure,
- (ii) maintenance of funds for public purposes,

which will supplement the tax and other contributory efforts of the Panchayats. So far as agriculture and irrigation are concerned, the Panchayat Samiti will operate a development plan for the whole area on a 'no profit basis.'

69. The main function of the Panchayat Samiti will be to concentrate on increasing production and employment in the area. For this purpose it will mobilise the man-power in cooperation with the various *Gram Sabhas* in the area. It may ask the State Government for the services of such staff as it needs on a contract basis or utilise the services of private individuals or associations for this purpose. It will provide such services as are beyond the capacity of individual *Gram Sabhas* e.g., power-dusters, sprayers, tractor services etc., engineering services on a commercial basis. On a request by the *Gram Sabhas* and the Samiti the State Government may draw up a comprehensive plan of development for the Panchayat Samiti area and *Gram Sabhas*. The Panchayat Samiti and *Gram Sabhas* should consider the plan and adopt such priorities as they consider most useful.

70. It will be the function of the Panchayat Samiti to provide for basic and post-basic education and higher medical facilities. This it will do as its resources develop. It will be open to private organisations to open schools providing these facilities and the Panchayat Samiti may give such grants to them as are necessary from its own funds. The State shall continue any existing service in the locality of a Panchayat Samiti on a request by the Samiti. The plan of a Panchayat Samiti will provide ways and means of eventually taking over that service. The State shall continue to bear the expenditure of that service till the Panchayat Samiti takes it over. Any service not specifically requested for by the Panchayat Samiti may be withdrawn by the State.

Staffing Panchayat Samitis

71. It is impossible to indicate at this stage what staff will be required by a Panchayat Samiti. It depends on how its services develop and the people appreciate the services rendered. It will require a plant protection service, power-dusters, sprayers etc., a pure seed producing farm, engineering services for directing irrigation investigation and helping in construction work. All these services must be self-paying. It will be the function of the State to create semi-autonomous organisations capable of rendering these services. The State could also licence private organisations capable of rendering these services on regulated terms.

Need for Experimentation

72. Experience of this system of working can be gained by trying the scheme in selected areas on an experimental basis. In order that this is done under the most favourable circumstances, Government should accept the liability of providing all loans and grants required by the area as well as technical and other staff, as the area needs and demands. The experiments should be conducted on a controlled basis in different areas. On the basis of the results obtained the programme could then be extended over larger areas of the country.

Zila Parishad—Constitution and Role

73. Each Panchayat Samiti will send one representative to the Zila Parishad. A district with a population of say 10 lakhs will have 50 representatives. This will be the sovereign body in the district and should have power to pass all laws and regulations necessary for the welfare of the district. We envisage that in due course all subjects which are today dealt with by the State Government as State subjects will ultimately pass on to the districts. Inter-district matters could be regulated by regional councils which could operate for a group of 4—5 districts. The election of the district representative will be in the same manner as for Panchayat Samitis, by indirect election. The Panchayat Samiti will meet and decide by near unanimity or by lots on the district representative.

74. Though we visualise the Zila Parishad as the legislative and executive body for the district to which will be transferred ultimately all the powers and functions of existing State Governments, we do not visualise that immediately the Zila Parishad will have any legislative or taxing powers. These will continue to vest in the State legislature, except to the extent of the transfer of certain resources to the Zila Parishad. These will however be able to take over all or any of the existing functions which the State Government performs in the district and in respect of which a resolution is passed by the Parishad or the Panchayat Samiti. A proportional amount of grant will be made by the State to the Zila Parishad or the Panchayat Samiti as the case may be and thenceforward it will form part of the regular budget of the Zila Parishad or the Panchayat Samiti.

75. We visualise that the territorial jurisdictions of these decentralised units will remain intact and unviolated. The village accountant and school teacher will be under the administrative control of the Panchayat. All office staff working in the jurisdiction of the Panchayat Samiti will be either under its control or it will be entitled to indicate through their confidential reports how they have been of use to it. All other staff in the district will be in the same manner under the Zila Parishad. For a time there will be some dyarchy in the districts, some staff will be operating under the Zila Parishad, some will remain under the control of the State Governments. This also happens today in the case of the Centre and State Governments. The relationship between the staff working in the three units of Democratic Decentralisation has to be worked out. The staff of the higher organisation will be entitled to inspect and advise; but the authority to take final decision will be with the decentralised unit.

76. We envisage the Zila Parishad covering the whole area of administrative activity that goes on in the District. There will be no division of functions as between the Zila Parishad and the State. As soon as the Zila Parishad is

first constituted it will by a resolution take over such of the existing activities in the district as it considers necessary and the State Government will allocate to it such portion of the revenue as is necessary to carry on those functions. The power to pass fresh taxation will be with the Zila Parishad. Any service not specifically requested for by the Zila Parishad may be withdrawn by the State.

77. In order to associate the people with the administration, the Panchayat Samiti and the Zila Parishad will work through administrative committees on whom will be represented not only the elected members of these bodies but also other people, who on account of their expert knowledge and experience will be able to assist in the discharge of its duties by that body. This will enable people of different professions to contribute their capacity and experience towards the public good without the necessity of their being the elected representatives of the people. The other way to secure this is by way of co-option of such persons to these bodies. But we prefer this method as it prevents elected bodies being unnecessarily loaded for all purposes with people whose interests are limited.

Conclusion.

78. We are well aware that this whole scheme has to be worked out in greater detail. We would request AVARD to pursue this matter and take the necessary steps in this direction. But in the end we would refer to one point which superficial criticism might avail of to discredit the whole idea. It will be argued that the adoption of such a scheme will lead to disintegration (of the unity) of the nation and create confusion by the introduction of numerous variations in the units of Democratic Decentralisation. We are well aware that our recommendations are so much against the currently accepted values that nothing would be easier than dismissing them with some such remarks.

79. The unity of a country is maintained by the constitution drawn up by the Nation's representatives. The constitutional functions forging that unity are:

- (i) defence,
- (ii) external affairs,
- (iii) foreign trade and customs, and
- (iv) communications.

In the event of the breakdown of law and order or some such emergency in any State, the Centre has powers to take over the administration of that State. We are disturbing none of these powers. If in the area of any Zila Parishad any such situation were to arise, these very remedies could be resorted to. The

Centre could depute any person, and on his report take such action as it thinks fit. We cannot therefore be charged with doing anything which will interfere with the unity of the country.

80. Another point of criticism would be that different areas would have different remedies for similar problems and this may create confusion and a sort of anarchy in the country. For instance it may be criticised that each village would have a different solution for the land question. We have considered this aspect and we feel that this objection is more apparent than real. Once such a possibility appears on the horizon in which each *Gram Sabha* can solve the land problem as it likes there will be a ferment in rural areas which will lead to a churning of all current ideas on the subject. There will be discussions about this in each *Gram Sabha* and Village Community. Interested people will go round the villages and the countryside advocating their solutions for this problem. Thus there will ultimately be a few alternatives within which the solution will crystalise. These will also include compensation for vested interests in land which are guaranteed by the constitution. The area of the solution will be narrowed down to a considerable extent. Then there will be a tendency to find out how other villages are solving these problems. Similarly there will be a lot of discussion in the Panchayat Samitis and Zila Parishads. This will also have its effect not only on opinion in the *Gram Sabha* but also in narrowing down the area of solution. All this will help to provide the base for a solution which will have similar characteristics over larger areas.

81. The real difficulty will not be that each *Gram Sabha's* decision would be different but that there will be difficulties in enforcing it in many villages. Vested interests may oppose enforcement. Law and order may be threatened. In some villages it may even be broken. We rely on two safeguards for the prevention of such contingencies. The first is that each decision will represent the general consensus, being taken by near unanimity. The second is that a Panchayat Samiti could for reasons to be recorded suspend the operation of a resolution of the *Gram Sabha*.

With these two safeguards we feel that the transition to a more progressive and egalitarian society could be effected with the minimum social convulsions.

ITINERARY OF THE TOUR

The Team arrived at Jaipur on the morning of November 10th. On the 11th afternoon, the Team divided into two parties. The first party consisting of Shri G. G. Mehta and Dr A. D. Pabaney visited the districts of Ajmer, Jaipur and Alwar. The Second party consisting of Shri R.K. Patil, Shri Kodanda Rama Reddy and Shri Dharampal visited the districts of Jaipur, Sawai Madhopur and Bharatpur.

On the 10th, the Team had separate discussions with the Pramukh, Zila Parishad, Jaipur, the Director of the Evaluation Board, Rajasthan, the Joint Development Commissioner and the Chief Secretary, Government of Rajasthan.

On the 11th morning, the Team visited Jhotwara and met the Pradhan, some members of the Jhotwara Panchayat Samiti and officers from many Samiti areas who were there in connection with the rehearsal of the forthcoming Panchayat election. The Team had also occasion to witness this rehearsing of the election.

On the 11th afternoon the whole Team visited the headquarters of the Panchayat Samiti, Bassi (District Jaipur) and had talks with the members of the Panchayat Samiti and its staff. Thereafter the Team divided into the above mentioned parties, the first reaching Ajmer and the second Gangapur City (District Sawai Madhopur) the same night.

First Party :

Shri G. G. Mehta

Shri A. D. Pabaney.

12th & 13th November

Visit to some villages in the area of the Panchayat Samiti, Srinagar and discussions with the Pradhan, Members of the Panchayat Samiti and its staff.

14th November

Departure from Ajmer, Arrival at Shahpura.

15th November

Discussions with the Pradhan, some members of the Panchayat Samiti and its staff and visit to some villages in the area of the Panchayat Samiti Shahpura. Departure for Alwar.

16th November

Discussions with the Pramukh Zila Parishad, Alwar, and visit to some

villages in the area of Panchayat Samiti, Umrain. Discussions with the members of the Panchayat Samiti and its staff.

17th November

Departure from Alwar—Arrival at headquarters of the Panchayat Samiti Thanagazi, and discussions with some of its members and staff and visit to a village. Departure from Thanagazi and arrival at Jaipur same evening.

Second Party :

Shri R.K. Patil
 Shri Kodanda Rama Reddy
 Shri Dharampal

